
SENATE BILL No. 552

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-33-15.

Synopsis: Pretrial release information. Requires the clerk of a court that has jurisdiction over persons who have been charged with a crime but released from custody to: (1) prepare a record containing certain information about the persons; (2) update the record on a quarterly basis and an annual basis; and (3) post a copy of the record in the clerk's office. Requires the clerk to submit to the Indiana criminal justice institute quarterly reports and annual summary reports that contain certain information about persons charged with a crime but released from custody. Requires the Indiana criminal justice institute to make reports submitted to the institute available for public inspection and copying during regular office hours. Requires the clerk to: (1) collect a fee of \$5 from each person who has been charged with a crime but released from custody; and (2) deposit the fee in the clerk's record perpetuation fund.

Effective: July 1, 2007.

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January 23, 2007, read first time and referred to Committee on Judiciary.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

SENATE BILL No. 552

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-33-15 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]:

4 **Chapter 15. Pretrial Release Information**

5 **Sec. 1. (a) The clerk of a court that has jurisdiction over persons**
6 **who have been charged with a crime but released from custody**
7 **shall:**

8 (1) **prepare a record containing information described in**
9 **subsection (b) about the persons, identified by case number;**

10 (2) **update the record on a quarterly basis;**

11 (3) **post a copy of the record in the clerk's office; and**

12 (4) **submit the updated record in a report at the end of each**
13 **quarter to the Indiana criminal justice institute established by**
14 **IC 5-2-6-3.**

15 (b) **The clerk shall include the following in a record prepared**
16 **under subsection (a):**

17 (1) **The name of the offense with which each person is**

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charged.

(2) The dates of any court appearances scheduled in the matter that a person did not attend.

(3) Which of the following methods was used to release each person:

(A) A corporate surety bond written by a bail agent (as defined in IC 27-10-1-4) representing an insurer as described in IC 27-10-2-4(1).

(B) A cash bond in the full amount of bail.

(C) A property bond as described in IC 27-10-2-9.

(D) A cash bond equal to ten percent (10%) of the bail as described in IC 35-33-8-3.2(a)(2).

(E) Release on the person's personal recognizance.

(F) Any other method used to release the person.

Sec. 2. (a) Before July 1 of each year, a clerk described in section 1 of this chapter shall submit to the Indiana criminal justice institute an annual summary report described in subsection (b) that contains information gathered by the clerk under this chapter during the preceding year.

(b) The clerk shall include the following in an annual report described in subsection (a):

(1) The number of persons who have been charged with a crime but released from custody by the court.

(2) The number of persons described in subdivision (1):

(A) who failed to appear at a scheduled court appearance;

(B) for whom a warrant was issued for failure to appear; and

(C) who were arrested for another offense while released from custody, broken down by the method of release used as described in section 1(b)(3) of this chapter.

(c) The Indiana criminal justice institute shall make quarterly reports and annual summary reports submitted to the institute under this chapter available for public inspection and copying during regular office hours.

Sec. 3. A clerk described in section 1 of this chapter shall collect a fee of five dollars (\$5) from each person who has been charged with a crime but released from custody using a method described in section 1(b)(3) of this chapter. The clerk shall deposit the fee in the clerk's record perpetuation fund under IC 33-37-5-2.

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